

## **Public Notice – Amendment of Water Quality Management Planning Regulation**

**Notice of action:** The State Water Control Board (Board) is considering the amendment of the regulation on water quality management planning in accordance with the Public Participation Procedures for Water Quality Management Planning. A regulation is a general rule governing people's rights or conduct that is upheld by a state agency.

**Purpose of notice:** The Board is seeking comments through the Department of Environmental Quality on the proposed amendment. The purpose of the amendment to the state's Water Quality Management Planning Regulation (9 VAC 25-720) is to adopt one modification of a Total Maximum Daily Load (TMDL) waste load allocation.

**Public comment period:** March 19, 2007 to April 19, 2007

**Description of proposed action:** DEQ staff will propose an amendment of the state's Water Quality Management Planning regulation for the Tennessee-Big Sandy River Basin (9 VAC 25-720-90.A). Statutory authority for promulgating this amendment can be found in §62.1-44.15(10) of the Code of Virginia. The TMDL modification pertained only to the wasteload allocation and did not affect the load allocation. Public notice for the TMDL modification was provided concurrent with the public notice for permit modification. EPA has approved the TMDL modification presented under this public notice. The approval can be obtained at <http://www.deq.state.va.us/tmdl/> or by contacting the person listed below. Staff intends to recommend 1) that the board approve the TMDL modification, and 2) that the Board adopt the modified TMDL waste load allocation as part of the state's Water Quality Management Planning Regulation in accordance with §2.2-4006A.4.c. and §2.2-4006B of the Code of Virginia.

### **Affected Waterbodies and Localities:**

In the Tennessee-Big Sandy River Basin, 9 VAC 25-720-90:

1. *"Guest River Total Maximum Daily Load Report "* - modification of the Guest River sediment TMDL, located in Wise County, to expand the sediment wasteload allocation from 317.52 tons/year to 317.922 tons/year. The corresponding increase in the Total Maximum Daily Load is less than 0.01 percent.

**How to comment:** The DEQ accepts written comments by e-mail, fax and postal mail. All written comments must include the full name, address and telephone number of the person commenting and be received by DEQ by 5 p.m. on the last day of the comment period.

**How a decision is made:** After comments have been considered, the board will make the final decision.

Citizens that submit statements during the comment period may address the board members during the board meeting at which a final decision is made on the proposal.

**To review documents:** The TMDL reports and the proposed regulatory amendments are available on the DEQ web site at <http://www.deq.virginia.gov/tmdl/> and by contacting the DEQ representative named below. The electronic copies are in PDF format and may be read online or downloaded.

**Contact for public comments, document requests and additional information:**

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